

For immediate release.

For more information, contact: Leigh Anne Jordon, 901/544-4231
Vallerie Hall, 901/545-5916

The United States Attorney and the District Attorney General announce crackdown on illegal guns in effort to reduce violent crime in Shelby County

MEMPHIS, TENN. (3-6-02) – –United States Attorney Terry Harris and District Attorney General Bill Gibbons today announced a new coordinated, aggressive attack on the illegal possession of guns.

Both prosecutors' offices, together with the police departments of Memphis, Collierville, Germantown, Bartlett and Millington; the Shelby County Sheriff's Department; the Tennessee Highway Patrol; and the U.S. Bureau of Alcohol, Tobacco and Firearms, have initiated the crackdown in hopes of significantly reducing violent crime in Shelby County. At the same time, these officials plan a massive marketing campaign to inform would-be gun criminals that "Gun Crime IS Jail Time."

Gibbons noted that DAs, police chiefs, and sheriffs across the state are supporting legislation to strengthen existing state laws on illegal possession of firearms. "This new approach, though, will maximize the effectiveness of existing state law," said Gibbons. "If you are a convicted felon in possession of a gun, anyone in possession of a prohibited firearm, or anyone in possession of a gun on school property, the days of getting probation or a fine are over."

All armed career criminals, as well as individuals with multiple felony drug or violent crime convictions, will be transferred automatically to federal court to face more significant penalties.

"Felons should take note that just possessing a gun is a federal crime that carries up to ten years in federal prison without parole," said Harris. "If, in the course of arresting or searching a felon with two or more violent or drug trafficking convictions, officers discover a firearm, that person should be ready to spend 15 years to life in prison."

more

Crackdown on illegal guns, ADD ONE

Mayor W. W. Herenton called the new approach a positive step toward making Memphis a safer community. “This new arrangement is a necessary reaction to violent crime in our city,” he said. “The message is clear: There will be a price to pay for those who persist in illegally possessing a gun. This clear message will hopefully reduce the number of guns in the wrong hands.”

This cross-agency attack on gun crime is necessitated by the fact that a staggering number of individuals are arrested each year in Shelby County for crimes involving the illegal possession and/or use of firearms. After several years of reduced numbers, the homicide rate in Shelby County rose significantly in 2001 to one hundred and fifty-six (156). “All of us have committed our resources to ensure that it will no longer be a mere inconvenience or a fine to illegally carry a weapon, that in Shelby County gun crime will equal jail time,” Harris said. “Changing the habits of criminals to reduce the number of illegal guns carried in our community will prevent crimes of spontaneous violence that occur merely because a gun is present.”

Local police and federal agencies will aggressively investigate and prosecute the entire gamut of gun crimes including: 1) the possession of any prohibited weapon; 2) the possession of any firearm by felons ; 3) the possession of firearms at or near a school; and, 4) the use of firearms to commit crimes of violence or drug offenses.

Since mid-January, every arrest ticket and misdemeanor citation issued in Shelby County involving the seizure of a firearm has been screened weekly by state and federal prosecutors and investigators. Officials note that weekly screening ensures that all gun cases are handled in a consistent and timely manner. Approximately 75 percent of these cases thus far are being handled directly through the federal system. The other 25 percent have been offered the opportunity to plead guilty in state court to a higher than normal sentence. Since January 1st, 102 federal firearms cases have been opened.

Stemming from the success of other national programs such as Richmond, Virginia’s “Project Exile,” here’s how the new Shelby County crackdown will work:

- 1) The District Attorney General’s Office and the U.S. Attorney’s Office will promptly review all illegal gun charges brought by all Shelby County law enforcement agencies (Memphis Police Department, Shelby County Sheriff’s Office and other municipal police departments), as well as the Tennessee Highway Patrol, in order to determine the provability of the charges.

more

Crackdown on illegal guns, ADD TWO

- 2) After the review, the U.S. Attorney's Office will take all provable illegal gun cases involving possession of guns by convicted felons, possession of prohibited weapons, and possession of guns on or near school property to prosecute.
- 3) With the exception of cases with multiple violent or drug-trafficking felonies, each defendant will be given the opportunity to plead guilty in state court to mandatory jail time greater than normally offered in state court.
- 4) Those who plead guilty in state court to substantial jail time will not have to face federal prosecution and the possibility of lengthier federal sentences.

Prior to implementing this program, the United States Attorney's Office and the District Attorney General's Office sponsored training for approximately 1,200 local law enforcement officers in January on investigative techniques and officer safety issues specifically related to firearms investigations. Training in these areas is continuing throughout this year during weekly classes at the Memphis Police Department and Shelby County Sheriff's Office training academies.

Through the Project Safe Neighborhoods Initiative (PSN) announced by President Bush in May, 2001, District Attorney General Bill Gibbons' Office received funding to hire two additional gun prosecutors. Shortly after taking office, United States Attorney Terry Harris formed a Firearms Unit within the United States Attorney's Office. Three Assistant United States Attorneys will staff this unit including two hired to fill new positions awarded to the Western District of Tennessee for gun prosecutions. In addition, an assistant DA specifically designated to try gun cases in federal court has been assigned to this unit by General Gibbons.

The Memphis Police Department has recently formed a unit that prepares investigative packets for all firearms arrests made by MPD as well as the Shelby County Sheriff's Office. The MPD unit has prepared reports on approximately 60 cases per week since February 1st. The police departments of Bartlett, Millington, Collierville and Germantown are also reviewing and presenting all firearms arrests and citations occurring in their municipalities.

The crackdown on gun crime also involves mobilizing the business and civic communities to finance and disseminate the message that "Gun Crime IS Jail Time" directly to potential criminals.

more

Crackdown on illegal guns, ADD THREE

In addition, an initial donation of \$50,000 of drug money seized by the Shelby County Sheriff's Office will jump start the campaign designed by Conaway Brown in partnership with Trust Marketing.

Gibbons stated, "All members of this community will benefit greatly if we reduce the number of illegal guns carried on our streets. That is why we are enlisting business, civic, and church leaders to join us in getting gun-carrying criminals to change their behavior or face long jail sentences."

The leadership of the Memphis Area Chamber of Commerce expressed support for the crackdown as a major step toward helping the Chamber to achieve its strategic planning goal of significantly reducing violent crime.

Bob Bryden, former president of the Memphis-Shelby Crime Commission and currently vice president of security at FDX Corporation, will head up the private fund-raising effort. Billboards, television and radio PSAs, posters and bumper stickers are planned as part of the marketing campaign.

Private donations to the marketing effort can be made through the Memphis-Shelby Crime Commission and are tax deductible.

Excerpts from the marketing campaign include:

"A felon with a gun . . . any gun . . . can go to Federal prison for ten years."

"Felon or not, up to ten years hard time if you're in possession of a gun and you're a drug user or addict; an alien; somebody subject to a domestic restraining order; somebody with a prior misdemeanor conviction for domestic violence; somebody dishonorably discharged from the military; or a fugitive from justice."

"Five years minimum in addition to whatever you get for a Federal drug conviction if you carry a gun to protect drugs or drug money."

"An automatic fifteen years to life if you have a gun and three prior violent offenses or drug convictions."

